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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Appl No.

: 10/810,464

Confirmation No. 9324

Applicant

Cunningham

Filed

: 03/25/2004

TC/A.U.

2143

Examiner

Docket No.

U000-P04042US

Customer No.

33356

Commissioner for Patents P.O. Box 1450 Alexandria, VA 22313-1450

Information Disclosure Statement

Dear Sir:

General Matters

X Copies of the references listed on the attached form PTO/SB/08A and PTO/SB/08B are enclosed. Copies of US patents and patent applications are not enclosed.

This Information Disclosure Statement is being filed under:

| X 37 CFR 1.97(b)(3) Before the mailing of a first Office action on the merits. |
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Respectfully submitted,

Date: June 15, 2005

Joel G. Landau, Reg. No. 54,732

SoCal IP Law Group LLP

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By: Maggie Farns worth

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Substitute for form 1449/PTO

INFORMATION DISCLOSURE STATEMENT BY APPLICANT

| titute for form 1449/PTO | | Complete if Known | | |
|-----------------------------------|----------------------|----------------------|------------------------|---------------|
| | | Application Number | 10/810,464 | |
| FORMATION DISCLOSURE | | Filing Date | 03/25/2004 | |
| | | First Named Inventor | Cunningham | |
| ATEM | ATEMENT BY APPLICANT | | Art Unit | 2143 |
| (Use as many sheets as necessary) | | Examiner Name | | |
| 1 | 1 | of 5 | Attorney Docket Number | U000-P04042US |

| Examiner | Cite | Document Number | Publication Date | Name of Patentee or | Pages, Columns, Lines, Where |
|----------------|--|--------------------------|-----------------------------|---|------------------------------|
| Initials* No.1 | Number-Kind Code ^{2 (if known)} | MM-DD-YYYY | Applicant of Cited Document | Relevant Passages or Relevant Figures Appear | |
| | | ^{US-} 6,009,409 | 12-28-1999 | Adler | |
| | | ^{US-} 5,933,811 | 08-03-1999 | Angles | |
| | | ^{US-} 5,019,963 | 05-28-1991 | Alderson | |
| | | ^{US-} 6,026,368 | 02-15-2000 | Brown | |
| | | US- 5,504,675 | 04-02-1996 | Cragun | |
| | | ^{US-} 5,761,662 | 06-02-1998 | Dasan | |
| | | ^{US-} 5,717,923 | 02-10-1998 | Dedrick | |
| | | US- 5,768,521 | 06-16-1998 | Dedrick | |
| | | ^{US-} 5,724,521 | 03-03-1998 | Dedrick | |
| | | ^{US-} 5,946,664 | 08-31-1999 | Ebisawa | |
| | | ^{US-} 5,347,632 | 09-13-1994 | Filepp | |
| | | ^{US-} 5,823,879 | 10-20-1998 | Goldberg | |
| | | ^{US-} 5,794,210 | 08-11-1998 | Goldhaber | |
| | | ^{US-} 6,036,601 | 03-14-2000 | Heckel | |
| | | US- 5,319,455 | 06-07-1994 | Hoarty | |
| | | US- 6,141,010 | 10-31-2000 | Hoyle | |
| | | US- 6,237,022 | 05-22-2001 | Bruck, et al. | |
| | | ^{US-} 6,055,513 | 04-25-2000 | Katz, et al | |
| | | ^{US-} 6,067,570 | 05-23-2000 | Kreynin | |

| | | FORE | IGN PATENT DOCU | IMENTS | | |
|--------------------|-------------------------|---|--|---|----------------------------|----|
| Examiner Cite No.1 | Foreign Patent Document | Publication Date | Name of Patentee or Applicant of Cited Document | Pages, Columns, Lines, Where Relevant Passages | | |
| | Į | Country Code ³ "Number ⁴ "Kind Code ⁵ (if known) | MM-DD-YYYY | | Or Relevant Figures Appear | Τ° |
| | | WO 98/35300 | 08-13-1998 | Ambrose | | |
| | | EP 0 822 535 A2 | 02-04-1998 | Apte | | |
| | | WO 00/54201 | 09-14-2000 | Haitsuka | | |
| | | EP 1 083 504 A2 | 03-14-2001 | Haitsuka | | |
| | | WO 97/27531 | 07-31-1997 | Itakura | | |
| | 1 | WO 97/32257 | 09-04-1997 | Itakura | | |

| Examiner | 1 | Date | |
|-----------|---|------------|--|
| Signature | | Considered | |

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| | | | U. S. PATENT | T DOCUMENTS | |
|-----------------------|--------------|--|--------------------------------|--|---|
| Examiner Initials* | Cite No.1 | Document Number Number-Kind Code ^{2 (# known)} | Publication Date MM-DD-YYYY | Name of Patentee or Applicant of Cited Document | Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear |
| | | ^{US-} 2003/0023488 | 01-30-2003 | Landsman | |
| | | ^{US-} 6,009,410 | 12-28-1999 | LeMole | |
| | | US- 5,721,827 | 02-24-1998 | Logan | |
| | | ^{US-} 6,141,699 | 10-31-2000 | Luzzi | |
| | | ^{US-} 5,305,195 | 04-19-1994 | Murphy | |
| | | ^{US-} 6,085,229 | 07-04-2000 | Newman | |
| | | ^{US-} 5,105,184 | 04-14-1992 | Pirani | |
| | | US- 5,913,040 | 06-15-1999 | Rakavy | |
| | | ^{US-} 5,740,549 | 04-14-1998 | Reilly | |
| | | ^{US-} 5,918,014 | 06-29-1999 | Robinson | |
| | | ^{US-} 5,636,346 | 06-03-1997 | Saxe | |
| | | ^{US-} 5,946,646 | 08-31-1999 | Schena | |
| | | ^{US-} 6,338,094 | 01-082002 | Scott | |
| | | US- 5,809,242 | 09-15-1998 | Shaw | |
| | | US- 5,959,623 | 09-28-1999 | van Hoff | |
| | | US- 5,643,088 | 07-01-1997 | Vaughn | |
| | | ^{US-} 6,389,469 | 05-14-2002 | Vekslar, et al. | |
| | | ^{US-} 5,446,919 | 08-29-1995 | Wilkins | |
| | | | | | |

| | FORE | IGN PATENT DOCU | IMENTS | | |
|--------------|---|---------------------|--|---|----|
| Cite No.1 | Foreign Patent Document | Publication Date | Name of Patentee or Applicant of Cited Document | Pages, Columns, Lines, Where Relevant Passages | |
| | Country Code ³ "Number ⁴ "Kind Code ⁵ (if known) | MM-DD-YYYY | | Or Relevant Figures Appear | ₹° |
| | WO 97/32258 | 09-04-1997 | Itakura | | |
| | WO 97/43724 | 11-20-1997 | Itakura | | |
| | WO 97/46946 | 12-11-1997 | Itakura | | |
| | WO 98/13761 | 04-02-1998 | Itakura | | |
| | WO 97/21183 | 06-12-1997 | Naqvi | | |
| | JP 3114348 | 05-15-1991 | Takahashi | | |

Cheng

12-10-1997

US- 6,151,643

| Examiner | Date | |
|-----------|------------|--|
| Signature | Considered | |
| o.ga.a. | | |

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Complete if Known Substitute for form 1449/PTO **Application Number** 10/810,464 Filing Date 03/25/2004 INFORMATION DISCLOSURE First Named Inventor Cunningham STATEMENT BY APPLICANT Art Unit 2143 (Use as many sheets as necessary) **Examiner Name** U000-P04042US Attorney Docket Number Sheet 3

| | | | U. S. PATENT | DOCUMENTS | |
|-----------------------|--------------|--|--------------------------------|--|---|
| Examiner Initials* | Cite No.1 | Document Number Number-Kind Code ^{2 (d known)} | Publication Date MM-DD-YYYY | Name of Patentee or Applicant of Cited Document | Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear |
| | | ^{US-} 6,151,600 | 11-21-2000 | Dedrick | |
| | | ^{US-} 5,855,008 | 12-29-1998 | Goldhaber | |
| | | ^{US-} 6,169,542 | 01-02-2001 | Hooks | |
| | | ^{US-} 5,737,619 | 04-07-1998 | Judson | |
| | | ^{US-} 5,572,643 | 11-05-1996 | Judson | |
| | | ^{US-} 5,584,025 | 12-10-1996 | Keithley | |
| | | ^{US-} 5,838,790 | 11-17-1998 | McAuliffe | |
| | | ^{US-} 5,781,894 | 07-14-1998 | Petrecca . | |
| | | ^{US-} 5,854,897 | 12-29-1998 | Radziewicz | |
| | | ^{US-} 5,974,451 | 10-26-1999 | Simmons | |
| | | ^{US-} 5,724,424 | 03-03-1998 | Gifford | |
| | | ^{US-} 6,351,745 | 08-27-1998 | Itakura | |
| | | ^{US-} 6,356,893 | 11-10-1998 | Itakura | |
| | | US- | | | |

| | | FORE | IGN PATENT DOCL | IMENTS | | |
|--------------------|--------------|---|---------------------|--|---|----|
| Examiner Initials* | Cite No.1 | Foreign Patent Document | Publication Date | Name of Patentee or Applicant of Cited Document | Pages, Columns, Lines, Where Relevant Passages | |
| | | Country Code ³ Number ⁴ Kind Code ⁵ (if known) | MM-DD-YYYY | | Or Relevant Figures Appear | ⊤° |
| | | WO 97/07656 | 03-06-1997 | Barkat / Rakavy | | |
| | | EP 0 811 942 A2 | 12-10-1997 | Cheng | | |
| • | | WO 00/75850 | 12-14-2000 | Haitsuka | | |
| | | WO 01/04788 | 01-18-2001 | Haitsuka | | |
| | | CA 2,244,002 | 07-31-1997 | Itakura | | |
| | | CA 2,247,325 | 09-04-1997 | Itakura | | |

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| Signature | | Considered | |

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Substitute for form 1449/PTO

Application Number 10/810,464

Filing Date 03/25/2004

First Named Inventor Cunningham

Art Unit 2143

Examiner Name

Attorney Docket Number U000-P04042US Sheet 4 of |5 **U. S. PATENT DOCUMENTS** Examiner Cite Publication Date Name of Patentee or Pages, Columns, Lines, Where Document Number MM-DD-YYYY Applicant of Cited Document Relevant Passages or Relevant Figures Appear Number-Kind Code^{2 (# known)} US-US-US-US-US-US-US US-US US-US-US-US-ŪS US-US-US-

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| Examiner Cite Initials* No.1 | Foreign Patent Document | Publication Date | Name of Patentee or Applicant of Cited Document | Pages, Columns, Lines, Where Relevant Passages | | |
| | | Country Code ³ "Number ⁴ "Kind Code ⁵ (if known) | MM-DD-YYYY | | Or Relevant Figures Appear | T° |
| | | EP 0 749 081 | 12-18-1996 | Reilly | | |
| | | WO 97/40514 | 10-30-1997 | Shaw | | |
| | | EP 923036 | 12-11-1997 | Itakura | | L |
| | | WO 97/40601 | 10-30-1997 | McAuliffe | | |
| | | WO 97/40447 | 10-30-1997 | Marsh | | |
| | | WO 00/75822 | 12-14-2000 | Raheman | | Г |

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| Gustino | | | | Application Number | 10/810,464 | |
| INF | ORMATION | DIS | CLOSURE | Filing Date | 03/25/2004 | |
| STATEMENT BY APPLICANT | | | | First Named Inventor | Cunningham | |
| | Alos os mony cha | | | Art Unit | 2143 | |
| (Use as many sheets as necessary) | | | | Examiner Name | | |
| Sheet | 5 | of | 5 | Attorney Docket Number | U000-P04042US | |

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|-----------------------|--------------|--|--|
| Examiner Initials* | Cite No.1 | e Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title | |
| | | BRAJNIK, A Shell for Developing Non-Monotonic User Modeling Systems | |
| | | California Digital Library International Journal of Human-Computer Studies, pp. 31-62, vol. 40, no.1 | |
| | | DEDRICK, Interactive Electronic Advertising, IEEE Multimedia 1994 (Intel Architecture Labs) | |
| | | DEDRICK, A Consumption Model for Targeted Electronic Advertising, | |
| | | IEEE Multimedia pp 41-49 (Intel Architecture Labs) Summer 1995 | |
| | | JENNINGS, A Personal News Service Based on a User Model Neural Network | |
| | | Kansai Advanced Research Centre, Iwaoka, Japan, 1989-90 | |
| | | LIEBERMAN, Letizia: An Agent that Assists Web Browsing, M.I.T. Media-Lab Cambridge, MA, 8/1/1995 | |
| | | PAZZANI, Learning from hotlists and coldlists: Towards a WWW information filtering and seeking agent Dept. Information & Computer Science UC Irvine, 5/19/1998 | |
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